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The Constitution of 1848 was a great thing, but still it did not satisfy entirely the friends of a strong Federal State. The diversity between the Cantons was still considerable and impeding. In a total revision realised in 1874, the centralising tendencies made further progress.

Further Evolution

There was a paragraph from the very beginning which allowed changes in the Constitution. But it was only Parliament which had the competence to propose such changes which afterwards had to be accepted in a people's plebiscite. In 1891, a new paragraph was introduced in the Constitution, which had a very great influence on its further evolution: the people received the right to make propositions of their own concerning changes in the Constitution. This is the famous right of Initiative (*Volksinitiative*). If 50,000 people give their signature to any proposition, it must be treated by Parliament and then submitted to the people in a plebiscite. From 1891 until now, there have been 50 popular Initiatives, but only 7 of them were accepted by the people afterwards. On the other hand, during the same time the people accepted in the Constitution 57 changes, which were proposed by Parliament; 18 proposals by Parliament were refused by the people.

The number of changes is very considerable and a joke (originated in England) says: "In summer the Swiss milk their cows, and in winter they change their Constitution." More than half of all these changes gave more competences to the Confederation, that means the power of Cantons is dwindling away and the Central Government is becoming stronger and stronger. So Switzerland has nowadays one Penal Code, one Civil Code and a uniform Army, federal railways, federal motorway and a federal law on labour. A very important plebiscite took place in the 'forties, when a general old age insurance was introduced and the Confederation received the right to make laws about economy. Strictly speaking, this meant the death of Manchester Liberalism in Switzerland, though one must agree, that Swiss economy is still very free, possibly freer than in most other countries. The Swiss Constitution of today is in principle still the same as in 1848, but it has changed its look very much by the revision of 1874 and 70 amendments. Thanks to all these amendments, the Constitution is quite up to date, so one cannot reproach the Swiss for a Constitution lagging behind history, but some of its chapters look rather old-fashioned. Because of the great number of amendments, the Swiss Constitution is not a beautiful document well balanced and written in a masterly way, but a rather cumbersome thing, out of proportion which contains even very queer things. A "beauty bath" would be a good thing for it, but the main purpose of a Constitution is not to be beautiful, but to be up to its task. So there is no urgent need to reword the whole thing. There are people who say it is ridiculous and superfluous to touch the Constitution, that one should carry on, as one used to do. These opponents of a revision say also that, first of all, there ought to be a fundamental bulk of new ideas which should find their expression in a new Constitution. There was, for instance, such a fundamental idea which instigated the American Constitution, the idea that the supreme power comes from the people. The fundamental idea of the first Swiss Constitution in 1848 was to create a central power for a Federal State and to divide the competences between the Cantons and the Confederation. Nowadays, there is no such lead because the ideas of the ancestors who shaped the Constitution are still considered valid.

(To be continued.)

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